

**UNITED STATES BANKRUPTCY COURT**

**FOR THE**

**EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In the Matter of:

NANCY U MAYNARD

Debtor

Chapter 13

Case No. 13-15538-BFK

**MOTION TO DISMISS,**  
**NOTICE OF MOTION TO DISMISS**  
**AND**  
**NOTICE OF SCHEDULED HEARING ON THIS MOTION**

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

**Pursuant to 11 U.S.C. §1307(c)(6)** - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

**Notice and Motion to Dismiss**

Nancy U Maynard, Case #13-15538-BFK

***Attend the hearing to be held on October 8, 2015 at 1:30 p.m. in Courtroom #3 on the 3<sup>rd</sup> floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314.*** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman  
300 North Washington Street, Ste. 400  
Alexandria, VA 22314

Clerk of the Court  
United States Bankruptcy Court  
200 South Washington Street  
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: \_\_August 26, 2015\_\_

\_\_\_\_/s/ Thomas P. Gorman\_\_\_\_  
Thomas P. Gorman  
Chapter 13 Trustee  
300 N. Washington Street, #400  
Alexandria, VA 22314  
(703) 836-2226  
VSB 26421

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 26<sup>th</sup> day of August, 2015, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Nancy U Maynard  
Chapter 13 Debtor  
4106 N Randolph St  
Arlington, VA 22207

Tommy Andrews, Jr., Esq.  
Attorney for Debtor  
122 N. Alfred St.  
Alexandria, VA 22314

\_\_\_\_/s/ Thomas P. Gorman\_\_\_\_  
Thomas P. Gorman

CASE NO: 13-15538-BFK

STATUS: BASE PLAN

DEBTOR: XXX-XX-2998

MAYNARD, NANCY U

AKA: NANCY UMBERGER MAYNARD

DATE FILED: 12/13/2013 4106 N RANDOLPH ST

CONFIRMED: 03/11/2015 ARLINGTON, VA 22207

LATEST 341: 01/14/2014

PERCENTAGE: 3.000

PLAN: 60 MONTHS

1st PAYMENT DUE: 01/2014

ON SCHEDULE: 13,800.00

ACTUAL PAYMENTS: 5,500.00

AMOUNT BEHIND: 8,300.00

ATTORNEY: TOMMY ANDREWS, JR., ESQ.

122 N. ALFRED ST.

ALEXANDRIA, VA 22314

Phone: 703 838-9004 Fax: 703 838-9550

Needed to Complete Base:

BASE: 93,750.00

88,250.00

SCHEDULE: 1,950.00 MONTHLY

TOTAL PAID: 5,500.00

## LAST 12 TRANSACTIONS

Date	Source	Amount
02/23/15	PC	500.00
01/21/15	MO	1,000.00
11/10/14	PC/UMBERGER, PAUI	500.00
08/15/14	PC/UMBERGER, PAUI	500.00
07/07/14	PC	500.00
06/05/14	PC	500.00
05/06/14	PC/UMBERGER, PAUI	500.00
04/01/14	PC/UMBERGER, PAUI	500.00
03/11/14	PC	500.00
01/22/14	MO	500.00

## PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME CLAIM REMARK	DISB CODE LAST DISB	CLASS PAY%	INT. BEGIN INT. RATE	FIX PAY ARREARS	ORG. CLAIM SCHED AMT	APPROVED TO BE PAID	PRIN. PAID INT. PAID	PRIN. DUE INT. DUE
001	IRS*	INTERNAL REVENUE SERVICE	PRO	PRI 100.00		0.00 0.00	30,293.20 40,000.00	30,293.20 30,293.20	0.00 0.00	30,293.20 0.00
001	IRS*	INTERNAL REVENUE SERVICE	PRO	UNS 3.00		0.00 0.00	121,363.54 0.00	121,363.54 3,640.91	0.00 0.00	3,640.91 0.00
002	VATAX	VIRGINIA DEPT. OF TAXATION	PRO	PRI 100.00		0.00 0.00	15,000.00 20,000.00	15,000.00 15,000.00	0.00 0.00	15,000.00 0.00
002	VATAX	VIRGINIA DEPT. OF TAXATION UNSECURED PORTION	PRO	UNS 3.00		0.00 0.00	23,639.06 0.00	23,639.06 709.17	0.00 0.00	709.17 0.00
003	321207	OCWEN LOAN SERVICING	FIX 06/2015	SEC 100.00		319.70 2,604.01	19,181.64 8,100.00	19,181.64 19,181.64	3,470.29 0.00	15,711.35 0.00
004	340683	USAA FEDERAL SAVINGS BANK FILED LATE-SENT DTR ACK LTR 5/13/14	FIX-A	SEC 100.00		66.32 1,260.08	3,978.79 3,978.79	3,978.79 3,978.79	0.00 0.00	3,978.79 0.00
005	AMEXP	AMERICAN EXPRESS BANK, FSB	PRO	UNS 3.00		0.00 0.00	3,984.03 3,984.00	3,984.03 119.52	0.00 0.00	119.52 0.00
006	HONDA	AMERICAN HONDA FINANCE CORP.	PRO	UNS 3.00		0.00 0.00	0.00 243.00	0.00 0.00	0.00 0.00	Not Filed
007	321355	CAPITAL ONE BANK USA NA	PRO	UNS 3.00		0.00 0.00	0.00 3,408.00	0.00 0.00	0.00 0.00	Not Filed
008	330585	CREDIT COLL/USA	PRO	UNS 3.00		0.00 0.00	0.00 188.00	0.00 0.00	0.00 0.00	Not Filed
009	330585	CREDIT COLL/USA	PRO	UNS 3.00		0.00 0.00	0.00 19.00	0.00 0.00	0.00 0.00	Not Filed
010	329022	PALISADES ACQUISITION, LLC HERITAGE BANK ONE	PRO	UNS 3.00		0.00 0.00	44,132.02 65,593.00	44,132.02 1,323.96	0.00 0.00	1,323.96 0.00
011	306349	IC SYSTEM INC	PRO	UNS 3.00		0.00 0.00	0.00 135.00	0.00 0.00	0.00 0.00	Not Filed
012	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 926.00	0.00 0.00	0.00 0.00	Not Filed
013	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 407.00	0.00 0.00	0.00 0.00	Not Filed
014	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 179.00	0.00 0.00	0.00 0.00	Not Filed
015	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 139.00	0.00 0.00	0.00 0.00	Not Filed
016	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 136.00	0.00 0.00	0.00 0.00	Not Filed
017	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 71.00	0.00 0.00	0.00 0.00	Not Filed
018	316320	JP RECOVERY GW MED	PRO	UNS 3.00		0.00 0.00	0.00 52.00	0.00 0.00	0.00 0.00	Not Filed
019	264131	MCLEAN ANIMAL HOSPITAL	PRO	UNS 3.00		0.00 0.00	0.00 542.00	0.00 0.00	0.00 0.00	Not Filed
020	328084	NAVY FEDERAL CREDIT UNION	PRO	UNS 3.00		0.00 0.00	44,755.59 44,396.18	44,755.59 1,342.67	0.00 0.00	1,342.67 0.00
020A	314458	NAVY FEDERAL CREDIT UNION DUPLICATE??	PRO-A	UNS 3.00		0.00 0.00	30,786.84 0.00	30,786.84 923.61	0.00 0.00	923.61 0.00

\*\* Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

Case Maintenance 10.5

CASE NO: 13-15538-BFK

STATUS: BASE PLAN

DEBTOR: XXX-XX-2998

MAYNARD, NANCY U

SCHEDULE: 1,950.00 MONTHLY

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME CLAIM REMARK	DISB CODE LAST DISB	CLASS PAY%	INT. BEGIN INT. RATE	FIX PAY ARREARS	ORG. CLAIM SCHED AMT	APPROVED TO BE PAID	PRIN. PAID INT. PAID	PRIN. DUE INT. DUE
021	328084	NAVY FEDERAL CREDIT UNION	PRO	UNS		0.00	3,393.03	3,393.03	0.00	3,393.03
				100.00		0.00	0.00	3,393.03	0.00	0.00
022	337699	PEDIATRICS OF ARLINGTON	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				3.00		0.00	134.00	0.00	0.00	
023	337700	PHYSICIAN WEIGHT LOSS	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				3.00		0.00	1,253.00	0.00	0.00	
024	333728	PROFESSIONAL ACCT MGMT IN DC GOVT	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				3.00		0.00	250.00	0.00	0.00	
025	333728	PROFESSIONAL ACCT MGMT IN	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				3.00		0.00	300.00	0.00	0.00	
026	306897	RMCB LAB CORP	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				3.00		0.00	301.00	0.00	0.00	
027	321624	USAA FEDERAL SAVINGS BANK	PRO	UNS		0.00	16,769.40	16,769.40	0.00	503.08
				3.00		0.00	16,769.00	503.08	0.00	0.00
028	338596	AMERICAN INFOSOURCE LP VERIZON	PRO	UNS		0.00	347.11	347.11	0.00	10.41
				3.00		0.00	361.00	10.41	0.00	0.00
029	314458	NAVY FEDERAL CREDIT UNION UNLISTED - NSF	PRO-A	UNS		0.00	103.35	103.35	0.00	3.10
				3.00		0.00	0.00	3.10	0.00	0.00
030	271857	ARLINGTON COUNTY TREASURER MOD PLAN ALLOWS	PRO	PRI		0.00	1,373.73	1,373.73	0.00	1,373.73
				100.00		0.00	1,373.73	1,373.73	0.00	0.00
030	271857	ARLINGTON COUNTY TREASURER MOD PLAN ALLOWS	PRO	UNS		0.00	322.05	322.05	0.00	9.66
				3.00		0.00	322.05	9.66	0.00	0.00
799	ANDREW	TOMMY ANDREWS, JR., ESQ.	PRO	ATY		0.00	3,000.00	1,700.00	1,700.00	0.00
			03/2015	100.00		0.00	3,000.00	1,700.00	0.00	0.00
Trustee Administrative Fees								297.00	297.00	
TOTALS:						386.02	362,423.38	361,420.38	5,467.29	78,336.19
						3,864.09	216,560.75	83,803.48	0.00	0.00

	ADMIN	ATTORNEY	PRIORITY	SECURED	UNSECURED	OTHER		
SCHED AMOUNT:	0.00	3,000.00	61,373.73	12,078.79	140,108.23	0.00		
CLAIM AMOUNT:	0.00	1,700.00	46,666.93	23,160.43	11,979.12	0.00		
PAID BY TRUSTEE:	0.00	1,700.00	0.00	3,470.29	0.00	0.00		
PAID BY 3rd PARTY:	0.00	0.00	0.00	0.00	0.00	0.00		
-----								
SUB TOTAL:	0.00	0.00	46,666.93	19,690.14	11,979.12	0.00	DUE CREDITORS:	78,336.19
INTEREST DUE:	0.00	0.00	0.00	0.00	0.00	0.00	EXPECTED ADMIN:	1,192.44
CONTINUING:	0.00	0.00	0.00	0.00	0.00	0.00	LESS AVAILABLE:	32.71
-----								
BALANCE DUE:	0.00	0.00	46,666.93	19,690.14	11,979.12	0.00	APPROX BALANCE:	79,495.92

\*\* Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

Case Maintenance 10.5